

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference A25766 WO	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 00/ 00923	International filing date (day/month/year) 14/03/2000	(Earliest) Priority Date (day/month/year) 31/03/1999
Applicant BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

METHOD AND APPARATUS FOR TRANSFERING DATA TO A TERMINAL

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1
☐ None of the figures.

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Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

A method and apparatus for transferring data between points in a network is disclosed which is particularly applicable to the transfer of data over digital communications links (109) that have signalling channels and data channels such as intergrated services digital networks (ISDN) equipment (111,113). The method and the apparatus enables an ISDN network terminating unit (111) to have low bandwidth data channel for downloading emails from a computer (103) without the need for a dial up connection.

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A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04L12/58 H04Q11/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04L H04Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, Y	✓ EP 0 905 944 A (SIEMENS AG) 31 March 1999 (1999-03-31) abstract column 1, line 31 -column 2, line 58 claims 1-11; figure 1	1-5, 7
A	---	6, 8-12
Y	✓ US 5 870 549 A (BOBO C R, II) 9 February 1999 (1999-02-09) abstract column 7, line 53 -column 10, line 34 claims 1-4; figures 1, 2	1-5, 7
A	✓ WO 99 03239 A (AT & T CORP) 21 January 1999 (1999-01-21) abstract page 2, line 6 -page 3, line 2 figures 1-4B ---	1, 12
	--- -/-	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

15 June 2000

Date of mailing of the international search report

26/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
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Authorized officer

Gijssels, W

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A ✓	EP 0 798 899 A (KONINKLIJKE PTT NEDERLAND) 1 October 1997 (1997-10-01) abstract column 1, line 25 -column 3, line 13 claims 1-8; figures 1-3 ----	1,12
P,A ✓	DE 299 00 163 U (HEIDEL S) 8 April 1999 (1999-04-08) the whole document ----	1,3,7
A ✓	WO 97 01919 A (WANG K K-P) 16 January 1997 (1997-01-16) abstract page 5, line 38 -page 9, line 2 figure 1 ----	1,2,4,7, 8,12
P,A ✓	PATENT ABSTRACTS OF JAPAN vol. 1999, no. 10, 31 August 1999 (1999-08-31) & JP 11 146011 A (NEC CORP), 28 May 1999 (1999-05-28) * abstract * & GB 2 333 936 A (NEC CORP) 4 August 1999 (1999-08-04) ----	1,2,4,7, 8,12
A ✓	MILLER J G ET AL: "ACCESSING MESSAGES YOUR WAY" AT & T TECHNOLOGY, vol. 10, no. 1, 21 March 1995 (1995-03-21), page 6-9 XP000530274 SHORT HILLS; NEW JERSEY ISSN: 0889-8979 -----	

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/00923

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
EP 0905944	A	31-03-1999	DE 19743363	A	08-04-1999
US 5870549	A	09-02-1999	US 5675507	A	07-10-1997
			AU 9679398	A	27-04-1999
			WO 9918716	A	15-04-1999
			CA 2232397	A	31-10-1996
			EP 0870238	A	14-10-1998
			WO 9634341	A	31-10-1996
WO 9903239	A	21-01-1999	EP 0995292	A	26-04-2000
EP 0798899	A	01-10-1997	NL 1004167	C	23-10-1996
DE 29900163	U	08-04-1999	NONE		
WO 9701919	A	16-01-1997	US 5757891	A	26-05-1998
			AU 6402296	A	30-01-1997
			CN 1192837	A	09-09-1998
			EP 0873639	A	28-10-1998
			US 5956521	A	21-09-1999
JP 11146011	A	28-05-1999	GB 2333936	A,B	04-08-1999

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing:

05 October 2000 (05.10.00)

International application No.:

PCT/GB00/00923

Applicant's or agent's file reference:

A25766 WO

International filing date:

14 March 2000 (14.03.00)

Priority date:

31 March 1999 (31.03.99)

Applicant:

MALLET, Colin, Thomas et al

1. The designated Office is hereby notified of its election made:



in the demand filed with the International preliminary Examining Authority on:

14 August 2000 (14.08.00)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

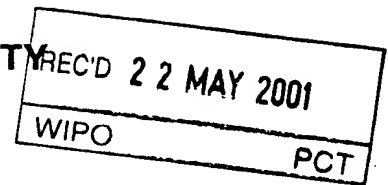
Authorized officer:

J. Zahra

Telephone No.: (41-22) 338.83.38

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference A25766 WO	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/GB00/00923	International filing date (day/month/year) 14/03/2000	Priority date (day/month/year) 31/03/1999
International Patent Classification (IPC) or national classification and IPC H04L12/58		
Applicant BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 6 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 14/08/2000	Date of completion of this report 18.05.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Köppl, M Telephone No. +49 89 2399 8433 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/00923

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-8 as originally filed

Claims, No.:

1-12 as originally filed

Drawings, sheets:

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/00923

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	5-12
	No:	Claims	1-4
Inventive step (IS)	Yes:	Claims	
	No:	Claims	5-12
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

Re Item V

Reasoned statement under Article 35 (2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1: JP-A-101 26 407 (NEC CORP) 15 May 1998 (1998-05-15)

D2: EP-A-0 798 899 (KONINKLIJKE PTT NEDERLAND) 01 October 1997
(1997-10-01)

2 The subject-matter of claim 1 appears not to be novel (Article 33 (2) PCT).

2.1 Document D1 discloses, in terms of claim 1, a network terminating unit (see title), NTU, for receiving digital data via a communications link ("ISDN communication protocol") comprising a signalling channel and one or more data channel(s), said signalling channel being operable to establish and control connections between said NTU and one or more data sources via said communications link so that data can be transferred from the or each data source to the NTU via one or more of the data channel(s), the NTU being operable to detect messages ("... a user-user information analyzing part 15 analyzes user-user information ...") transmitted on the signalling channel that contain data of a predetermined type, to extract the data and to store the data for passing to a first destination device ("... a ... message ... processing part 16 notifies a DTE side of E mail arrival.").

2.2 Since all features of claim 1 are known in combination from document D1, the subject-matter of claim appears not to be novel (Article 33 (2) PCT).

3 None of the dependent claims 2 to 12 contains additional features which, even when drafted as an independent claim including all features of the base claims, would lead to subject-matter that appears to be novel and to involve an inventive step.

3.1 The additional features of claims 2 to 4 are already disclosed in document D1. Therefore, the subject-matter of claims 2 to 4 appears not to be novel (Article 33

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

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(2) PCT).

- 3.2 The additional features of claims 5 to 11 are matters of normal design procedure for a man skilled in the art of designing ISDN network terminating units. Therefore, the subject-matter of claims 5 to 11 appears not to involve an inventive step (Article 33 (3) PCT).
- 3.3 The additional feature of claim 12 is already known from document D2 (see column 3, lines 18 to 41). Therefore, the subject-matter of claim 12 appears not to involve an inventive step (Article 33 (3) PCT).

Re Item VII

Certain defects in the international application

- 4 Independent claim 1 is not in the two-part form in accordance with Rule 6.3 (b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in a preamble (Rule 6.3 (b) (i) PCT) and with the remaining features being included in a characterising part (Rule 6.3 (b) (ii) PCT). Independent claim 1 should therefore have been redrafted accordingly (see also PCT International Preliminary Examination Guidelines III-2.3a).
- 5 Reference signs in parentheses should have been inserted in all the claims to increase their intelligibility, Rule 6.2 (b) PCT. This applies to both the preamble and characterising portion (see also PCT International Preliminary Examination Guidelines III-4.11).
- 6 Contrary to the requirements of Rule 5.1 (a) (ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein. The documents D1 and D2 should therefore have been mentioned in the introductory portion of the description (see also PCT International Preliminary Examination Guidelines II-4.4).

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Re Item VIII

Certain observations on the international application

- 7 Claims 1 and 3 are not clear in the sense of Article 6 PCT because they use terms in brackets ("NTU", "ISDN") which are not intended to be interpreted as reference signs. The brackets should have been replaced by commas (see also PCT International Preliminary Examination Guidelines III-4.11).
- 8 Claims 1 and 4 are not clear in the sense of Article 6 PCT because they use signs in brackets ("channel(s)", "message(s)") which are not intended to be interpreted as reference signs. The terms "channel" and "message" should have been recited in the claim language in their singular and plural form appropriately (see also PCT International Preliminary Examination Guidelines III-4.11).